

safer location away from the capital city. After the war, he went to retrieve them, only to discover that the secret hiding place and all it contained had been destroyed in intense American bombardment of Guam. Lost forever were the records of births, deaths and marriages dating back to the 1700s. Perhaps it was the sorrow over this immense loss that inspired Pale' Scot to become such an avid collector of artifacts and written materials about Guam and its people.

Whatever the reason may be, Monsignor Calvo bore no animosity toward the Americans who fought valiantly to recapture Guam, destroying much in the process, nor toward the Japanese who precipitated the destruction. In fact, the good monsignor worked hard after the war to heal the wounds. Despite criticisms from U.S. veterans groups, he played a major role in the establishment of the Guam Peace Memorial Park, funded entirely by private Japanese donations and dedicated in tribute to Japanese and Chamorro war dead. In recognition of his efforts to promote peace, friendship and goodwill, the Japanese Government conferred upon him its distinguished Order of the Rising Sun with gold and silver rays. He was the first American to receive this prestigious award.

Monsignor Calvo also has been an Honorary Papal Chamberlain since 1947. He is a knight in the Sovereign Military Hospitaller Order of St. John of Jerusalem, of Rhodes, and of Malta, with the title of Magistral Chaplain in 1977. In 1991 he was enrolled in the Guma Honra, the Guam Hall of Fame, for his remarkable social, spiritual and civic contributions to the people of Guam.

With the dedication of the Monsignor Oscar Lujan Calvo Museum on December 8, 1999, future generations of students of Guam history will owe a debt of gratitude to Pale' and his diligent efforts to preserve, protect, and promote Chamorro culture and history and to share his collection. I join the people of Guam in celebrating the opening of the new museum. I look forward to visiting it and to viewing Pale' Scot's collections, much of which will be publicly displayed for the first time. And to Pale', I want to say: "Si Yu'os ma'ase, Pale', nu todo i che'cho-mu put i estudion i fina 'posta-ta, i setbisiu-mu para i tano'ta yan i dedikasion-mu para i Gima' Yu'os."

We are inspired by your works, grateful for your advocacy and deeply appreciative of your service to our island.

CONFERENCE REPORT ON H.R. 3194,
CONSOLIDATED APPROPRIATIONS
AND DISTRICT OF COLUMBIA
APPROPRIATIONS ACT, 2000

SPEECH OF

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. BERMAN. Mr. Speaker, the measure before us includes the Intellectual Property and Communications Omnibus Reform Act of 1999 (IPCORA). This legislation, among other things, makes certain technical changes in several sections of the Copyright Act, including sections 111 and 119. These two sections of current law provide compulsory copyright licenses, which enable cable systems and sat-

ellite carriers to retransmit copyrighted material from broadcast signals without obtaining the permission of the copyright owners.

I rise to emphasize one change that this legislation does not make. Nothing in IPCORA changes the definitional provisions concerning who is entitled to claim a compulsory license. Section 111(f) contains a definition of "cable system," and section 119(d)(6) contains a definition of "satellite carrier." IPCORA does not change these definitions.

In particular, neither definition encompasses digital online communications services, which may seek to retransmit broadcast material over the Internet. These services are not eligible for either of these compulsory licenses. It is clear that such services do not fit either definition I have referenced. Indeed, Internet and online services are profoundly different from the cable systems and satellite carriers which these provisions are intended to benefit. To cite just one crucial difference, cable systems and satellite carriers serve defined and delineated geographic areas within the United States, and their entitlement to retransmit under these compulsory licenses applies only within those areas. Internet and online services, by contrast, have worldwide reach, and can deliver programming to any spot on the globe three Internet reaches. It is obvious that a compulsory license designed for a local, geographically limited service cannot fairly be applied to a worldwide distribution channel.

An earlier version of IPCORA contained technical amendments spelling out that digital online communications services are not eligible for compulsory licenses under either section 111 or section 119. Because some objections were raised by some online services to these amendments, it has been decided to omit them. Some may ask whether this omission has any legal significance. The answer is no. To my knowledge, no court, no administrative agency, no authoritative commentator has ever stated or even implied that digital online services qualify as either "cable systems" for purposes of section 111, or as "satellite carriers" for purposes of section 119. In fact, the Register of Copyrights, whose agency administers both these licenses, has repeatedly stated the opposite. Since IPCORA does not change these definitions, it does not change that conclusion, with or without the amendments that caused a few online services such concern.

MEMORIALIZING MR. MANUEL
CARDOZA

HON. GARY A. CONDIT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 22, 1999

Mr. CONDIT. Mr. Speaker, today is a very sad occasion and I would like to ask for a moment of silence on the House floor to honor the passing of a good friend of mine, Mr. Manuel Cardoza.

Though we are saddened by his passing from us Thursday afternoon, and I know that his precious wife Mary and his sons, Dennis and Bobby will miss him terribly, I am equally comforted in the knowledge that Manuel passed on to a better place.

Mr. Speaker, I've known the Cardoza family for a good many years. They are a living leg-

acy of the American Dream. Manuel's parents came to the United States from the Island of Pico in the Azores as immigrant farmers and made the most of the opportunity they found here.

A lifetime resident of California's great Central Valley, Manuel and Mary were long time residents of Atwater, after Manuel was born in Hanford. He farmed with his father and brother until 1945 when he left the family farm to serve in the US Maritime Service. In 1947 he returned to Atwater and farming until 1960 when he built Bellevue Bowl. He served as a director of the Merced County Mosquito Abatement Board for 30 years and held memberships in the Atwater Rotary Club and Merced Elks Lodge.

Manuel is survived by his wife Mary, his sons Bobby and Dennis and three grandchildren, Jim, Tommy and Brittany.

Mr. Speaker, I ask that my colleagues join me in honoring Manuel Cardoza.

CONFERENCE REPORT ON H.R. 3194,
CONSOLIDATED APPROPRIATIONS
AND DISTRICT OF COLUMBIA
APPROPRIATIONS ACT, 2000

SPEECH OF

HON. MAX SANDLIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. SANDLIN. Mr. Speaker, this is no way to govern. Republicans have decided to run this budget bill through Congress by keeping members in the dark. The budgeting process that brought us this bill at 3:30 a.m. must change. Congress needs to find a better way to fund day-to-day government operations without jeopardizing funding for critical initiatives and programs by a process that is too partisan and deeply divided.

Even though I object to the process which brought us this bill, I will support its final passage because it contains a number of provisions which are absolutely essential for the people in my district. These provisions include relief for rural hospitals hit hard by the Balanced Budget Act of 1977 (BBA), access to local stations for rural satellite TV viewers, critical protections for dairy farmers, and the hiring of teachers and law enforcement officers.

Health care providers in rural East Texas have been hit exceptionally hard by the BBA changes. Many hospitals in East Texas receive 55-75% of revenue from Medicare. The budget package includes an agreement that would give hospitals, nursing homes, home health care agencies and other health care providers relief from cuts in Medicare payments that was enacted under the 1997 Balanced Budget Act.

This agreement will provide an estimated \$12.8 billion over five years in additional Medicare payments for hospitals, home health care agencies, managed care plans and other health providers. It also includes provisions targeted at small hospitals and rural hospitals. In addition to a higher rate of reimbursement for these institutions, the bill allows them to increase the number of residency positions they are allowed to offer.

Hospital outpatient departments will also see relief. The agreement includes a provision stating that Congress never intended to impose a 5.7% cut in payments to hospital outpatient departments. This provision will restore